

DETAILED ACTION

1. Applicants' amendment filed November 24, 2009 is acknowledged. Claims 1-26, 29 and 40-44 are deleted. Claims 27-28 and 30-39 are amended. Claims 45-53 are added. Now, Claims 27-28, 30-39 and 45-53 are pending.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with Mr. William G. Conger on January 12, 2010.

The application has been amended as follows:

In the Abstract (line 2), after "mediator", insert -- which contains aliphatic, cycloaliphatic, heterocyclic, or aromatic NO-, NOH-, or H-N-OH group. --

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In Claims 27 (last line) and 28 (last line), after “present”, insert -- , wherein Y^1 is a divalent or polyvalent, linear or cyclic, branched or straight-chain organic radical optionally substituted and/or interrupted by the atoms N, O, P, B, Si or S; Y^2 is a hydrogen atom or a monovalent, linear or cyclic, branched or straight-chain, organic radical optionally substituted and/or interrupted by the atoms N, O, P, B, Si or S; and y, depending on the valency of radical Y^1 , is ≥ 2 --.

In Claim 28 (page 5, 1st line), remove “, preferably 0 or 1”.

In Claims 30 (last line) and 31 (last line), after “present”, insert -- , wherein Y^1 is a divalent or polyvalent, linear or cyclic, branched or straight-chain organic radical optionally substituted and/or interrupted by the atoms N, O, P, B, Si or S; Y^3 is a hydrogen atom or a monovalent, linear or cyclic, branched or straight-chain organic radical optionally substituted and/or be interrupted by the atoms N, O, P, B, Si or S; and y, depending on the valency of radical Y^1 , is ≥ 2 --.

4. Claim objection(s) in the previous Office Action (Paper No. 20090829) is/are removed.

5. Claim rejection(s) under 35 USC 112 in the previous Office Action (Paper No. 20090829) is/are removed.

6. Claim rejection(s) under 35 USC 102 and 103 in the previous Office Action (Paper No. 20090829) is/are removed.

7. It is noted that the basis for "less than 1 g/l" in the amendment to the specification set forth in page 7, line 4 of the preliminary amendment filed May 22, 2006 can be found in page 66, line 31 of the foreign priority document (DE 103 54 259.0).

Allowable Subject Matter

8. Claims 27-28, 30-39 and 45-53 are allowed.

9. The following is an examiner's statement of reasons for allowance:

The present claims are allowable for at least the following reason(s) over the closest reference: Fritz-Langhals (US 2003 0073871).

Fritz-Langhals discloses a continuous process for producing organosilicon compounds utilizing an N-oxygen compound. ([0002] and Examples) The amount of the N-oxygen compound is demonstrated in Examples. However, Fritz-Langhals does not teach or fairly suggest the process for producing the organosilicon compounds set forth in the instant claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuo-Liang Peng whose telephone number is (571) 272-1091. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Seidleck, can be reached on (571) 272-1078. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

klp
January 12, 2010

/Kuo-Liang Peng/
Primary Examiner, Art Unit 1796